

Attorney Docket No. 5649-1151

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

In re: Sim et al.

Confirmation No.: 2797

Application No.: 10/719,265

APR 07 2004

Filed: November 21, 2003

**OFFICE OF PETITIONS**

For: INTEGRATED CIRCUIT MEMORY DEVICES AND METHODS OF  
PROGRAMMING THE SAME IN WHICH THE CURRENT DRAWN DURING A  
PROGRAMMING OPERATION IS INDEPENDENT OF THE DATA TO BE  
PROGRAMMED

Date: April 1, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of November 21, 2003 rather than November 24, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of November 21, 2003 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS 12:00 p.m. on November 21, 2003; and
3. A true and accurate copy of our return post card include if applicable: and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of November 24, 2003 instead of the Express Mail date of November 21, 2003.

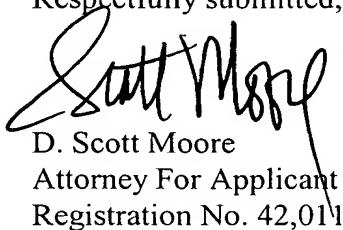
*DAC*

In re: Sim et al.  
Application No.: 10/719,265  
Page 2

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of November 21, 2003 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



D. Scott Moore  
Attorney For Applicant  
Registration No. 42,011

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 1, 2004.



Evelyn B. Casey



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5649-1151

DATE: November 21, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

a patent application  
 a Continuation     a Divisional     a Continuation-in-Part (CIP)    Application of prior application no.: \_\_\_\_\_; filed \_\_\_\_\_, the disclosure of which is incorporated herein by reference in its entirety.  
 and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

**Soung-Hoon Sim** – Incheon-city, Republic of Korea

**Hyo-Sang Lee** – Gyeonggi-do, Republic of Korea

**Gyu-Hong Kim** – Gyeonggi-do, Republic of Korea

Entitled: **INTEGRATED CIRCUIT MEMORY DEVICES AND METHODS OF  
PROGRAMMING THE SAME IN WHICH THE CURRENT DRAWN DURING A  
PROGRAMMING OPERATION IS INDEPENDENT OF THE DATA TO BE  
PROGRAMMED**

Myers Bigel Sibley & Sajovec, P.A.  
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Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1.  Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2.  26 pages of Specification (including 30 claims)
3.  8 sheets of Formal Drawings (35 USC 113)
4.  Oath or Declaration
  - a.  newly executed (*original or copy*)
  - b.  copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
  - c.  DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5.  Application Data Sheet. See 37 CFR 1.76
6.  Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**RECEIVED**

APR 07 2004

**OFFICE OF PETITIONS**

7.  Microfiche Computer Program (*Appendix*)
8.  Assignment papers (*cover sheet(s) and document(s)*)
9.  Applicant claims small entity status. See 37 CFR § 1.27.
10.  Information Disclosure Statement, PTO-1449, and reference cited
11.  Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12.  English Translation Document
13.  Certified Copy of Korean Application No. 10-2003-0000659; Filed January 6, 2003
14.  Sequence Listing/ Sequence Listing Diskette
  - a.  computer readable copy
  - b.  paper copy
  - c.  statement in support
15.  An Associate Power of Attorney
16.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17.  Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate	Large Entity Rate
<b>BASIC FEE</b>			<b>\$385.00</b>	<b>\$770.00</b>
<b>TOTAL CLAIMS</b>	<b>30</b> - 20 =	<b>10</b>	x 09 = \$	x 18 = \$180.00
<b>INDEP CLAIMS</b>	<b>7</b> - 3 =	<b>4</b>	x 43 = \$	x 86 = \$344.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$1294.00

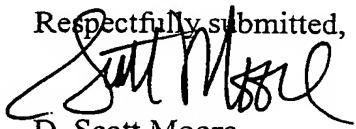
A check in the amount of \$ to cover the filing fee is enclosed.

A check in the amount of \$1334.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).

Please charge my Deposit Account No. 50-0220 in the amount of \$

The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:

- a.  Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b.  Additional patent application processing fees under 37 CFR 1.17.

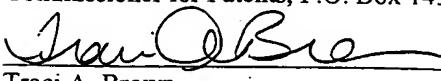
Respectfully submitted,  
  
 D. Scott Moore  
 Registration No. 42,011

#### CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV 353594349 US

Date of Deposit: November 21, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Washington, DC 20231.

  
 Traci A. Brown



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## ORIGIN (POSTAL USE ONLY)

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Date In Mo. Day Year	Postage <i>1785</i>		
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Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight lbs. ozs.	Int'l Alpha Country Code	COD Fee <input type="checkbox"/>	Insurance Fee <input type="checkbox"/>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <i>TMW</i>	Total Postage & Fees <i>\$ 1785</i>	<input type="checkbox"/>

## CUSTOMER USE ONLY

## METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

*X276061*

## DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>NOV 17 2003</i>
Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>2003</i>
Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature <i>NOV 17 2003</i>
<input type="checkbox"/> <b>WAIVER OF SIGNATURE (Domestic Only)</b> Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location and I authorize that delivery, employee's signature constitutes valid proof of delivery.		
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Customer Signature		

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## FROM: (PLEASE PRINT)

*919 854 1400*

PHONE

MYERS AIGEL SIBLEY & SAJDEVAC  
PO BOX 37428  
RALEIGH NC 27627-7428

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## TO: (PLEASE PRINT)

PHONE

Mail Step Patent Application  
Commissioner of Patent  
P.O. Box 1453  
Washington, D.C. 20531-1453

*DIMW/HK 5041583-1453*

12-03-03 Application

PSM/16

Date: 12-21-03  
Doc. No. 5049-1151  
Serial No. tba  
Inventor: Sime et al.

Sir: Kindly acknowledge receipt of the accompanying items listed below by placing your receiving stamp hereon and return mailing:

Application Transmittal and:  Check \$ 1334.00  
 Specification pages 26  IDS & PTO-1449 & \_\_\_\_ refs.  
 No. of Claims 30  Amendment & Amend. Transmittal  
 Declaration & POA  Preliminary Amendment  
 Assignment and Fee  Issue Fee  
 Small Entity Statement  Brief  
 Formal Drawings/8 sheets  Appeal  
 Associate Power of Attorney  Submittal of Priority Doc.  
 Exp. Mail  1st Class Mail  
Other: \_\_\_\_\_

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC, P.A.  
Attorneys for Applicant

DSM

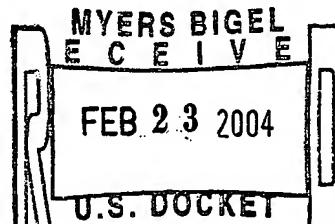


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/719,265	11/24/2003	2818	1294	5649-1151	8	30	7

20792  
 MYERS BIGEL SIBLER & SAJOVEC  
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CONFIRMATION NO. 2797

FILING RECEIPT



\*OC000000011938358\*

Date Mailed: 02/20/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Soung-Hoon Sim, Incheon-city, KOREA, REPUBLIC OF;  
 Hyo-Sang Lee, Gyeonggi-do, KOREA, REPUBLIC OF;  
 Gyu-Hong Kim, Gyeonggi-do, KOREA, REPUBLIC OF;

## Domestic Priority data as claimed by applicant

## Foreign Applications

REPUBLIC OF KOREA 10-2003-0000659 01/06/2003

If Required, Foreign Filing License Granted: 02/19/2004

Projected Publication Date: 07/08/2004

Non-Publication Request: No

Early Publication Request: No

## Title

Integrated circuit memory devices and methods of programming the same in which the current drawn during a programming operation is independent of the data to be programmed